
HOUSE BILL No. 1675

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-34-2-1.1.

Synopsis: Anesthetic for unborn fetus. Requires a physician to inform a pregnant woman that an anesthetic or other painkilling medication may be provided to a fetus with a probable gestational age of at least 20 weeks and that insurance may or may not cover the service.

Effective: July 1, 2005.

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January 25, 2005, read first time and referred to Committee on Public Policy and Veterans Affairs.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1675

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-34-2-1.1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1.1. An abortion shall
3 not be performed except with the voluntary and informed consent of
4 the pregnant woman upon whom the abortion is to be performed.
5 Except in the case of a medical emergency, consent to an abortion is
6 voluntary and informed only if the following conditions are met:

7 (1) At least eighteen (18) hours before the abortion and in the
8 presence of the pregnant woman, the physician who is to perform
9 the abortion, the referring physician or a physician assistant (as
10 defined in IC 25-27.5-2-10), an advanced practice nurse (as
11 defined in IC 25-23-1-1(b)), or a midwife (as defined in
12 IC 34-18-2-19) to whom the responsibility has been delegated by
13 the physician who is to perform the abortion or the referring
14 physician has orally informed the pregnant woman of the
15 following:

- 16 (A) The name of the physician performing the abortion.
17 (B) The nature of the proposed procedure or treatment.

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- 1 (C) The risks of and alternatives to the procedure or treatment.
 2 (D) The probable gestational age of the fetus, including an
 3 offer to provide:
 4 (i) a picture or drawing of a fetus;
 5 (ii) the dimensions of a fetus; and
 6 (iii) relevant information on the potential survival of an
 7 unborn fetus;
 8 at this stage of development.
 9 (E) The medical risks associated with carrying the fetus to
 10 term.
 11 **(F) The option of providing an anesthetic or other**
 12 **painkilling medication to a fetus that has a probable**
 13 **gestational age of at least twenty (20) weeks and that this**
 14 **service:**
 15 (i) may; or
 16 (ii) may not;
 17 **be covered by insurance.**
 18 (2) At least eighteen (18) hours before the abortion, the pregnant
 19 woman will be orally informed of the following:
 20 (A) That medical assistance benefits may be available for
 21 prenatal care, childbirth, and neonatal care from the county
 22 office of family and children.
 23 (B) That the father of the unborn fetus is legally required to
 24 assist in the support of the child. In the case of rape, the
 25 information required under this clause may be omitted.
 26 (C) That adoption alternatives are available and that adoptive
 27 parents may legally pay the costs of prenatal care, childbirth,
 28 and neonatal care.
 29 (3) The pregnant woman certifies in writing, before the abortion
 30 is performed, that the information required by subdivisions (1)
 31 and (2) has been provided.

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